

UNITED STATES OF AMERICA  
NATIONAL LABOR RELATIONS BOARD  
CHARGE AGAINST EMPLOYER

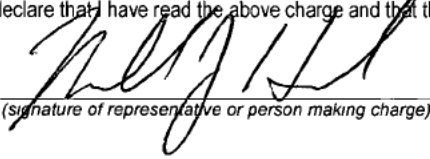
FORM EXEMPT UNDER 44 U.S.C. 3512

**DO NOT WRITE IN THIS SPACE**

Case 04-CA-143743	Date Filed 12/31/14
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**INSTRUCTIONS:**

File an original with NLRB Regional Director for the region in which the alleged unfair labor practice occurred or is occurring.

<b>1. EMPLOYER AGAINST WHOM CHARGE IS BROUGHT</b>	
a. Name of Employer (1) Jo-Dan Enterprises d/b/a McDonald's, and/or (2) Jo-Dan Madalisse d/b/a McDonald's, and (3) McDonald's USA, LLC as Joint or Single Employer	b. Tel No 215-228-8336
	c. Cell No.
	f. Fax No
d. Address (Street, city, state, and ZIP code) (1) & (2) 1201 Broad St Philadelphia 19137 (2) McDonald's USA, LLC, One McDonald's Plaza, Oak Brook IL, 60523	e. Employer Representative (1) & (2) (b) (6), (b) (7)(C) (b) (6), (b) (7)(C) (2) Gloria Santona
	g. e-Mail
	h. Number of workers employed (1) Approx. 60
i. Type of Establishment (factory, mine, wholesaler, etc.) Restaurant	j. Identify principal product or service Food service
k. The above-named employer has engaged in and is engaging in unfair labor practices within the meaning of section 8(a), subsections (1) and (list subsections) (3) of the National Labor Relations Act, and these unfair labor practices are practices affecting commerce within the meaning of the Act, or these unfair labor practices are unfair practices affecting commerce within the meaning of the Act and the Postal Reorganization Act.	
2. Basis of the Charge (set forth a clear and concise statement of the facts constituting the alleged unfair labor practices) See attached	
3. Full name of party filing charge (if labor organization, give full name, including local name and number) Pennsylvania Workers Organizing Committee, a Project of the Fast Food Workers Committee	
4a. Address (Street and number, city, state, and ZIP code) Pennsylvania Workers Organizing Committee c/o Fight for Philly 846 North Broad St. Philadelphia PA 19130	4b. Tel. No. (b) (6), (b) (7)(C) 4c. Cell No. 4d. Fax No 4e. e-Mail
5. Full name of national or international labor organization of which it is an affiliate or constituent unit (to be filled in when charge is filed by a labor organization) Pennsylvania Workers Organizing Committee, a Project of the Fast Food Workers Committee	
6. DECLARATION I declare that I have read the above charge and that the statements are true to the best of my knowledge and belief. By  Michael J. Healey (signature of representative or person making charge) (Print/type name and title or office, if any)	Tel. No 412-391-1428 Office, if any, Cell No. Fax No. 412-281-9509 e-Mail mike@unionlawyers.net
Address 247 Ft Pitt Blvd., 4th Floor, Pittsburgh PA 15222 12/29/14 (date)	

**WILLFUL FALSE STATEMENTS ON THIS CHARGE CAN BE PUNISHED BY FINE AND IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001)**

**PRIVACY ACT STATEMENT**

Solicitation of the information on this form is authorized by the National Labor Relations Act (NLRA), 29 U.S.C. § 151 et seq. The principal use of the information is to assist the National Labor Relations Board (NLRB) in processing unfair labor practice and related proceedings or litigation. The routine uses for the information are fully set forth in the Federal Register, 71 Fed. Reg. 74942-43 (Dec. 13, 2006). The NLRB will further explain these uses upon request. Disclosure of this information to the NLRB is voluntary, however, failure to supply the information will cause the NLRB to decline to invoke its processes.

Jo-Dan Enterprises d/b/a McDonald's, and/or Jo-Dan Madalisse LTD, LLC d/b/a McDonald's, and McDonald's USA, LLC as Joint or Single Employer

1201 N. Broad St, Philadelphia 19122

**Attachment to charge**

Since on or about (b) (6), (b) (7)(C) 2014, the above-named employer, by its officers, agents and supervisors has interfered with, restrained and coerced its employees in the exercise of the rights guaranteed in Section 7 of the Act through engaging in the following acts and conduct with the goal of discouraging employees' participation in union activities and in retaliation for employees' participation in union activities, in particular, employees' participation in a one-day protected strike on (b) (6), (b) (7)(C) 2014 and (b) (6), (b) (7)(C) 2014:

- Since on or about (b) (6), (b) (7)(C) 2014, the employer has issued disciplinary write-up's for actions that previously did not merit discipline (for example, enforcing its uniform policy more severely than before the Union campaign) and for seemingly arbitrary reasons not based in any preexisting work rule or practice;
- Since on or about (b) (6), (b) (7)(C) 2014, the Employer has reduced work hours of pro-union employees;
- Since on or about (b) (6), (b) (7)(C) 2014, the Employer has stated to employees that they could not wear their Union buttons to work when other non-work buttons are permitted;
- On or about (b) (6), (b) (7)(C) 2014, the Employer suspended employee (b) (6), (b) (7)(C)
- On or about (b) (6), (b) (7)(C) 2014, the Employer terminated employee (b) (6), (b) (7)(C)



Healey and Hornack, P.C.  
ATTORNEYS AT LAW

Michael J. Healey  
Joseph S. Hornack  
Jules Lobel, OF COUNSEL

247 Fort Pitt Boulevard  
4<sup>th</sup> Floor  
Pittsburgh, PA 15222

PHONE 412.391.7711  
TOLL FREE: 888.391.6944  
FAX: 412.281.9509

Direct Dial: 412-391-1428  
[mike@unionlawyers.net](mailto:mike@unionlawyers.net)

December 29, 2014

Dennis Walsh  
Regional Director,  
NLRB Region 4  
615 Chestnut Street  
Philadelphia, PA. 19106-4404

RE: 1)Jo-Dan Enterprises d/b/a McDonald's and/or 2) Jo-Dan Madalisse d/b/a McDonald's and 3) McDonald's USA, LLC as joint or Single Employer et al (

Dear Mr. Walsh:

Enclosed please find for your consideration and processing an original and 4 copies of unfair labor practice charges in the above captioned matter. The charges relate to an aspect in Philadelphia of what has been referred to as "fast food workers strikes/organizing" The charges are self- explanatory and are detailed in the narrative section of the charge .

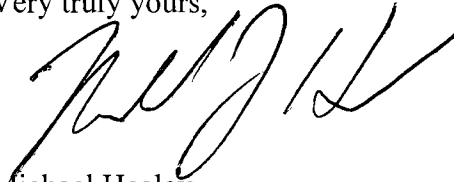
This charge is related to other cases that your office has been handling.

There are a number of witnesses who have facts relevant to the allegations who can be produced for interviews. Ceilidh Gao will be the contact person , and will coordinate times for interviews, and get witnesses to your office. She can be reached through my office.

Please have your staff contact me at your earliest convenience and I can begin making arrangements to set up interviews. Copies of this charge have been served on the respondent(s) to their currently named counsel by first class mail.

I would anticipate wishing to file a brief position statement shortly after the interviews in this matter are complete. Please have a member of your staff contact me at their earliest convenience.

Very truly yours,

A handwritten signature in black ink, appearing to read 'M. Healey', written in a cursive style.

Michael Healey  
Attorney for Charging Party

Enclosures: Multiple

cc: Joseph Hirsch  
Doreen Davis  
Michael Ferrell  
Gloria Santona

Case Name: (1) Jo-Dan Enterprises d/b/a McDonald's, and/or (2) Jo-Dan Madalisse d/b/a McDonald's and (3) McDonald's USA, LLC as Joint or single Employer  
Case No.: 04-CA-143743  
Agent: Deena Kobell

## CASEHANDLING LOG

[illegible]



UNITED STATES GOVERNMENT  
NATIONAL LABOR RELATIONS BOARD

REGION 4  
615 Chestnut St Ste 710  
Philadelphia, PA 19106-4413

Agency Website: [www.nlr.gov](http://www.nlr.gov)  
Telephone: (215)597-7601  
Fax: (215)597-7658



Download  
NLRB  
Mobile App

January 2, 2015

(b) (6), (b) (7)(C)

Jo-Dan Madalisse d/b/a McDonald's  
1201 N. Broad Street  
Philadelphia, PA 19137

(b) (6), (b) (7)(C)

Jo-Dan Enterprises d/b/a McDonald's  
1201 N Broad Street  
Philadelphia, PA 19122

Gloria Santona,  
Executive Vice President & General Counsel  
McDonald's USA, LLC  
One McDonald's Plaza  
Oak Brook, IL 60523

Re: (1) Jo-Dan Enterprises d/b/a McDonald's,  
and/or (2) Jo-Dan Madalisse d/b/a  
McDonald's and (3) McDonald's USA, LLC  
as Joint or single Employer  
Case 04-CA-143743

Ladies and Gentlemen:

Enclosed is a copy of a charge that has been filed in this case. This letter tells you how to contact the Board agent who will be investigating the charge, explains your right to be represented, discusses presenting your evidence, and provides a brief explanation of our procedures, including how to submit documents to the NLRB.

**Investigator:** This charge is being investigated by Field Attorney MARGARET M. MCGOVERN whose telephone number is (215)597-7620. If this Board agent is not available, you may contact RICHARD P. HELLER whose telephone number is (215)597-7633.

**Right to Representation:** You have the right to be represented by an attorney or other representative in any proceeding before us. If you choose to be represented, your representative must notify us in writing of this fact as soon as possible by completing Form NLRB-4701, Notice of Appearance. This form is available on our website, [www.nlr.gov](http://www.nlr.gov), or from an NLRB office upon your request.

January 2, 2015

If you are contacted by someone about representing you in this case, please be assured that no organization or person seeking your business has any "inside knowledge" or favored relationship with the National Labor Relations Board. Their knowledge regarding this proceeding was only obtained through access to information that must be made available to any member of the public under the Freedom of Information Act.

**Presentation of Your Evidence:** We seek prompt resolutions of labor disputes. Therefore, I urge you or your representative to submit a complete written account of the facts and a statement of your position with respect to the allegations set forth in the charge as soon as possible. If the Board agent later asks for more evidence, I strongly urge you or your representative to cooperate fully by promptly presenting all evidence relevant to the investigation. In this way, the case can be fully investigated more quickly. **Due to the nature of the allegations in the enclosed unfair labor practice charge, we have identified this case as one in which injunctive relief pursuant to Section 10(j) of the Act may be appropriate.** Therefore, in addition to investigating the merits of the unfair labor practice allegations, the Board agent will also inquire into those factors relevant to making a determination as to whether or not 10(j) injunctive relief is appropriate in this case. Accordingly, please include your position on the appropriateness of Section 10(j) relief when you submit your evidence relevant to the investigation.

Full and complete cooperation includes providing witnesses to give sworn affidavits to a Board agent, and providing all relevant documentary evidence requested by the Board agent. Sending us your written account of the facts and a statement of your position is not enough to be considered full and complete cooperation. A refusal to fully cooperate during the investigation might cause a case to be litigated unnecessarily.

In addition, either you or your representative must complete the enclosed Commerce Questionnaire to enable us to determine whether the NLRB has jurisdiction over this dispute. If you recently submitted this information in another case, or if you need assistance completing the form, please contact the Board agent.

We will not honor any request to place limitations on our use of position statements or evidence beyond those prescribed by the Freedom of Information Act and the Federal Records Act. Thus, we will not honor any claim of confidentiality except as provided by Exemption 4 of FOIA, 5 U.S.C. Sec. 552(b)(4), and any material you submit may be introduced as evidence at any hearing before an administrative law judge. We are also required by the Federal Records Act to keep copies of documents gathered in our investigation for some years after a case closes. Further, the Freedom of Information Act may require that we disclose such records in closed cases upon request, unless there is an applicable exemption. Examples of those exemptions are those that protect confidential financial information or personal privacy interests.

(1) Jo-Dan Enterprises d/b/a McDonald's, - 3 -  
and/or (2) Jo-Dan Madalisse d/b/a  
McDonald's and (3) McDonald's USA, LLC  
as Joint or single Employer  
Case 04-CA-143743

January 2, 2015

**Procedures:** We strongly urge everyone to submit all documents and other materials (except unfair labor practice charges and representation petitions) by E-Filing (not e-mailing) through our website, [www.nlr.gov](http://www.nlr.gov). However, the Agency will continue to accept timely filed paper documents. Please include the case name and number indicated above on all your correspondence regarding the charge.

Information about the Agency, the procedures we follow in unfair labor practice cases and our customer service standards is available on our website, [www.nlr.gov](http://www.nlr.gov) or from an NLRB office upon your request. NLRB Form 4541 offers information that is helpful to parties involved in an investigation of an unfair labor practice charge.

We can provide assistance for persons with limited English proficiency or disability. Please let us know if you or any of your witnesses would like such assistance.

Very truly yours,



DENNIS P. WALSH  
Regional Director

Enclosures:

1. Copy of Charge
2. Commerce Questionnaire

cc: Joseph A. Hirsch, Esquire  
Hirsch & Hirsch  
One Belmont Avenue  
8th Floor, Suite 8001  
Bala Cynwyd, PA 19004

Doreen S. Davis, Attorney  
Jones Day  
222 East 41st Street  
New York, NY 10017-6727



(1) Jo-Dan Enterprises d/b/a McDonald's,  
and/or (2) Jo-Dan Madalisse d/b/a  
McDonald's and (3) McDonald's USA, LLC  
as Joint or single Employer  
Case 04-CA-143743

- 4 -

January 2, 2015

Jonathan M. Linas, Attorney  
Jones Day  
77 W Wacker Dr., Ste. 3500  
Chicago, IL 60601-1692

Andrew G. Madsen, ESQ.  
Jones Day  
77 W Wacker Drive, Suite 3500  
Chicago, IL 60601-1701

**QUESTIONNAIRE ON COMMERCE INFORMATION**

Please read carefully, answer all applicable items, and return to the NLRB Office. If additional space is required, please add a page and identify item number.

**CASE NAME**

(1) Jo-Dan Enterprises d/b/a McDonald's, and/or (2) Jo-Dan Madalisse d/b/a McDonald's and (3) McDonald's USA, LLC as Joint or single Employer

**CASE NUMBER**

04-CA-143743

**1. EXACT LEGAL TITLE OF ENTITY (As filed with State and/or stated in legal documents forming entity)****2. TYPE OF ENTITY**☐ CORPORATION ☐ LLC ☐ LLP ☐ PARTNERSHIP ☐ SOLE PROPRIETORSHIP ☐ OTHER (Specify )**3. IF A CORPORATION or LLC**A. STATE OF INCORPORATION  
OR FORMATION

B. NAME, ADDRESS, AND RELATIONSHIP (e.g. parent, subsidiary) OF ALL RELATED ENTITIES

**4. IF AN LLC OR ANY TYPE OF PARTNERSHIP, FULL NAME AND ADDRESS OF ALL MEMBERS OR PARTNERS****5. IF A SOLE PROPRIETORSHIP, FULL NAME AND ADDRESS OF PROPRIETOR****6. BRIEFLY DESCRIBE THE NATURE OF YOUR OPERATIONS (Products handled or manufactured, or nature of services performed).****7. A. PRINCIPAL LOCATION:****B. BRANCH LOCATIONS:****8. NUMBER OF PEOPLE PRESENTLY EMPLOYED**

A. Total:

B. At the address involved in this matter:

**9. DURING THE MOST RECENT (Check appropriate box): ☐ CALENDAR YR ☐ 12 MONTHS or ☐ FISCAL YR (FY dates )**A. Did you **provide services** valued in excess of \$50,000 directly to customers outside your State? If no, indicate actual value.  
\$

YES

NO

B. If you answered no to 9A, did you **provide services** valued in excess of \$50,000 to customers in your State who purchased goods valued in excess of \$50,000 from directly outside your State? If no, indicate the value of any such services you provided.  
\$C. If you answered no to 9A and 9B, did you **provide services** valued in excess of \$50,000 to public utilities, transit systems, newspapers, health care institutions, broadcasting stations, commercial buildings, educational institutions, or retail concerns? If less than \$50,000, indicate amount. \$D. Did you **sell goods** valued in excess of \$50,000 directly to customers located outside your State? If less than \$50,000, indicate amount. \$E. If you answered no to 9D, did you **sell goods** valued in excess of \$50,000 directly to customers located inside your State who purchased other goods valued in excess of \$50,000 from directly outside your State? If less than \$50,000, indicate amount.  
\$F. Did you **purchase and receive goods** valued in excess of \$50,000 from directly outside your State? If less than \$50,000, indicate amount. \$G. Did you **purchase and receive goods** valued in excess of \$50,000 from enterprises who received the goods directly from points outside your State? If less than \$50,000, indicate amount. \$H. **Gross Revenues** from all sales or performance of services (Check the largest amount)  
☐ \$100,000 ☐ \$250,000 ☐ \$500,000 ☐ \$1,000,000 or more If less than \$100,000, indicate amount.I. Did you **begin operations within the last 12 months?** If yes, specify date: \_\_\_\_\_**10 ARE YOU A MEMBER OF AN ASSOCIATION OR OTHER EMPLOYER GROUP THAT ENGAGES IN COLLECTIVE BARGAINING?**☐ YES ☐ NO (If yes, name and address of association or group).**11. REPRESENTATIVE BEST QUALIFIED TO GIVE FURTHER INFORMATION ABOUT YOUR OPERATIONS**

NAME

TITLE

E-MAIL ADDRESS

TEL. NUMBER

**12. AUTHORIZED REPRESENTATIVE COMPLETING THIS QUESTIONNAIRE**

NAME AND TITLE (Type or Print)

SIGNATURE

E-MAIL ADDRESS

DATE

**PRIVACY ACT STATEMENT**

Solicitation of the information on this form is authorized by the National Labor Relations Act (NLRA), 29 U.S.C. § 151 et seq. The principal use of the information is to assist the National Labor Relations Board (NLRB) in processing representation and/or unfair labor practice proceedings and related proceedings or litigation. The routine uses for the information are fully set forth in the Federal Register, 71 Fed. Reg. 74942-43 (Dec. 13, 2006). The NLRB will further explain these uses upon request. Disclosure of this information to the NLRB is voluntary. However, failure to supply the information may cause the NLRB to refuse to process any further a representation or unfair labor practice case, or may cause the NLRB to issue you a subpoena and seek enforcement of the subpoena in federal court.

**UNITED STATES OF AMERICA**  
**BEFORE THE NATIONAL LABOR RELATIONS BOARD**

**(1) JO-DAN ENTERPRISES D/B/A  
MCDONALD'S, AND/OR (2) JO-DAN  
MADALISSE D/B/A MCDONALD'S AND (3)  
MCDONALD'S USA, LLC AS JOINT OR  
SINGLE EMPLOYER**

**Case 04-CA-143743**

Charged Party

and

**PENNSYLVANIA WORKERS ORGANIZING  
COMMITTEE, A PROJECT OF THE FAST  
FOOD WORKERS COMMITTEE**

Charging Party

**AFFIDAVIT OF SERVICE OF CHARGE AGAINST EMPLOYER**

I, the undersigned employee of the National Labor Relations Board, state under oath that on January 2, 2015, I served the above-entitled document(s) by post-paid regular mail upon the following persons, addressed to them at the following addresses:

**(b) (6), (b) (7)(C)**  
Jo-Dan Madalisse d/b/a McDonald's  
1201 N.Broad Street  
Philadelphia, PA 19137

Joseph A. Hirsch, Esquire  
Hirsch & Hirsch  
One Belmont Avenue  
8th Floor, Suite 8001  
Bala Cynwyd, PA 19004

Gloria Santona,  
Executive Vice President & General Counsel  
McDonald's USA, LLC  
One McDonald's Plaza  
Oak Brook, IL 60523

Doreen S. Davis, Attorney  
Jones Day  
222 East 41st Street  
New York, NY 10017-6727

Jonathan M Linas, Esq.  
Jones Day  
77 W. Wacker Dr., Ste. 3500  
Chicago, IL 60601-1692

Andrew G. Madsen, Esq.  
Jones Day  
77 W. Wacker Drive, Suite 3500  
Chicago, IL 60601-1701

January 2, 2015

Date

Jane Peterson, Designated Agent of NLRB

Name

/s/ Jane Peterson

Signature



UNITED STATES GOVERNMENT  
NATIONAL LABOR RELATIONS BOARD

REGION 4  
615 Chestnut St Ste 710  
Philadelphia, PA 19106-4413

Agency Website: [www.nlr.gov](http://www.nlr.gov)  
Telephone: (215)597-7601  
Fax: (215)597-7658



Download  
NLRB  
Mobile App

January 2, 2015

Pennsylvania Workers Organizing Committee,  
a project of the Fast Food Workers Committee  
c/o Fight for Philly  
846 North Broad Street  
Philadelphia, PA 19130

Re: (1) Jo-Dan Enterprises d/b/a McDonald's,  
and/or (2) Jo-Dan Madalisse d/b/a  
McDonald's and (3) McDonald's USA, LLC  
as Joint or single Employer  
Case 04-CA-143743

Dear Sir or Madam:

The charge that you filed in this case on December 31, 2014 has been docketed as case number 04-CA-143743. This letter tells you how to contact the Board agent who will be investigating the charge, explains your right to be represented, discusses presenting your evidence, and provides a brief explanation of our procedures, including how to submit documents to the NLRB.

**Investigator:** This charge is being investigated by Field Attorney MARGARET M. MCGOVERN whose telephone number is (215)597-7620. If this Board agent is not available, you may contact RICHARD P. HELLER whose telephone number is (215)597-7633.

**Right to Representation:** You have the right to be represented by an attorney or other representative in any proceeding before us. If you choose to be represented, your representative must notify us in writing of this fact as soon as possible by completing *Form NLRB-4701, Notice of Appearance*. This form is available on our website, [www.nlr.gov](http://www.nlr.gov), or at the Regional office upon your request.

If you are contacted by someone about representing you in this case, please be assured that no organization or person seeking your business has any "inside knowledge" or favored relationship with the National Labor Relations Board. Their knowledge regarding this proceeding was only obtained through access to information that must be made available to any member of the public under the Freedom of Information Act.

**Presentation of Your Evidence:** As the party who filed the charge in this case, it is your responsibility to meet with the Board agent to provide a sworn affidavit, or provide other witnesses to provide sworn affidavits, and to provide relevant documents within your possession. Because we seek to resolve labor disputes promptly, you should be ready to promptly present your affidavit(s) and other evidence. If you have not yet scheduled a date and time for the Board

(1) Jo-Dan Enterprises d/b/a McDonald's, - 2 -  
and/or (2) Jo-Dan Madalisse d/b/a  
McDonald's and (3) McDonald's USA, LLC  
as Joint or single Employer  
Case 04-CA-143743

January 2, 2015

agent to take your affidavit, please contact the Board agent to schedule the affidavit(s). If you fail to cooperate in promptly presenting your evidence, your charge may be dismissed without investigation.

**Procedures:** We strongly urge everyone to submit all documents and other materials (except unfair labor practice charges and representation petitions) by E-Filing (not e-mailing) through our website [www.nlr.gov](http://www.nlr.gov). However, the Agency will continue to accept timely filed paper documents. Please include the case name and number indicated above on all your correspondence regarding the charge.

Information about the Agency, the procedures we follow in unfair labor practice cases and our customer service standards is available on our website [www.nlr.gov](http://www.nlr.gov) or from the Regional Office upon your request. *NLRB Form 4541, Investigative Procedures* offers information that is helpful to parties involved in an investigation of an unfair labor practice charge.

We can provide assistance for persons with limited English proficiency or disability. Please let us know if you or any of your witnesses would like such assistance.

Very truly yours,

A handwritten signature in black ink, reading "Dennis P. Walsh". The signature is written in a cursive, flowing style.

DENNIS P. WALSH  
Regional Director

cc: Michael J. Healey, Esq.  
Healey & Hornack, P.C.  
247 Fort Pitt Blvd 4th Fl  
Pittsburgh, PA 15222

**From:** [McGovern, Margaret M.](#)  
**To:** [Kobell, Deena E.](#)  
**Subject:** McDonald's filing copies and notice to NY  
**Date:** Monday, January 5, 2015 2:24:26 PM  
**Attachments:** [RE Coordinatated Case Jo-Dan Enterprises McDonald's CAT 3.msg](#)  
[Coordinatated Case Jo-Dan Enterprises McDonald's CAT 3.msg](#)  
[Pot 10j NIB Jo-Dan Enterprises CAT 3.msg](#)  
[Jo-Dan Enterprises CAT 3.msg](#)

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**From:** [Maier, Harold A.](#)  
**To:** [Jaffe, Leah Z.](#); [Dunham, Geoffrey](#)  
**Cc:** [Tursell, Beth](#); [Walsh, Dennis](#); [Halevy, Daniel E.](#); [Heller, Richard P.](#); [McGovern, Margaret M.](#)  
**Subject:** Coordinatated Case: Jo-Dan Enterprises [McDonald"s] CAT 3  
**Date:** Friday, January 2, 2015 11:39:25 AM  
**Attachments:** [CHG.04-CA-143743.Initial Charge.pdf](#)

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Attached please find a new charge filed against McDonald's and one of its franchisees. We have already issued complaint against this entity in Cases 4-CA-125567, 129783, and 133621. It is also a "nip-in-the-bud" pot. 10j case.

***Harold A. Maier***

Assistant to the Regional Director  
NLRB - Region 4  
615 Chestnut Street  
Suite 710  
Philadelphia, PA 19106-4413  
(215) 597-7610 (Office)  
(215) 597-7658 (Fax)

---

**From:** Peterson, Jane D.  
**Sent:** Friday, January 02, 2015 11:34 AM  
**To:** Maier, Harold A.; Heller, Richard P.; McGovern, Margaret M.; Messina, Rita M.; Murray, Lorraine Y.; Dunmyer, Renai J.  
**Subject:** Jo-Dan Enterprises CAT 3



**From:** [Maier, Harold A.](#)  
**To:** [Heller, Richard P.](#); [Williams, Ladean](#); [McGovern, Margaret M.](#); [Messina, Rita M.](#)  
**Cc:** [Walsh, Dennis](#); [Heller, Richard P.](#)  
**Subject:** Pot 10j NIB: Jo-Dan Enterprises CAT 3  
**Date:** Friday, January 2, 2015 11:36:23 AM  
**Attachments:** [CHG.04-CA-143743.Initial Charge.pdf](#)

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This is a pot 10j NIB case alleging a single discharge plus discipline and changes to working conditions.

***Harold A. Maier***

Assistant to the Regional Director  
NLRB - Region 4  
615 Chestnut Street  
Suite 710  
Philadelphia, PA 19106-4413  
(215) 597-7610 (Office)  
(215) 597-7658 (Fax)

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**From:** Peterson, Jane D.  
**Sent:** Friday, January 02, 2015 11:34 AM  
**To:** Maier, Harold A.; Heller, Richard P.; McGovern, Margaret M.; Messina, Rita M.; Murray, Lorraine Y.; Dunmyer, Renai J.  
**Subject:** Jo-Dan Enterprises CAT 3

**From:** [Jaffe, Leah Z.](#)  
**To:** [Maier, Harold A.](#); [Dunham, Geoffrey](#)  
**Cc:** [Tursell, Beth](#); [Walsh, Dennis](#); [Halevy, Daniel E.](#); [Heller, Richard P.](#); [McGovern, Margaret M.](#)  
**Subject:** RE: Coordinatated Case: Jo-Dan Enterprises [McDonald"s] CAT 3  
**Date:** Friday, January 2, 2015 12:10:27 PM

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Thanks for keeping us in the loop

Leah Z. Jaffe  
Regional Attorney  
National Labor Relations Board, Region 2  
26 Federal Plaza, Room 3614  
New York, N.Y. 10278  
(212) 264-0336  
FAX (212) 264-2450  
[leah.jaffe@nrlrb.gov](mailto:leah.jaffe@nrlrb.gov)

---

**From:** Maier, Harold A.  
**Sent:** Friday, January 02, 2015 11:39 AM  
**To:** Jaffe, Leah Z.; Dunham, Geoffrey  
**Cc:** Tursell, Beth; Walsh, Dennis; Halevy, Daniel E.; Heller, Richard P.; McGovern, Margaret M.  
**Subject:** Coordinatated Case: Jo-Dan Enterprises [McDonald's] CAT 3

Attached please find a new charge filed against McDonald's and one of its franchisees. We have already issued complaint against this entity in Cases 4-CA-125567, 129783, and 133621. It is also a "nip-in-the-bud" pot. 10j case.

***Harold A. Maier***

Assistant to the Regional Director  
NLRB - Region 4  
615 Chestnut Street  
Suite 710  
Philadelphia, PA 19106-4413  
(215) 597-7610 (Office)  
(215) 597-7658 (Fax)

---

**From:** Peterson, Jane D.  
**Sent:** Friday, January 02, 2015 11:34 AM  
**To:** Maier, Harold A.; Heller, Richard P.; McGovern, Margaret M.; Messina, Rita M.; Murray, Lorraine Y.; Dunmyer, Renai J.  
**Subject:** Jo-Dan Enterprises CAT 3

**From:** [Kobell, Deena E.](#)  
**To:** (b) (6), (b) (7)(C)  
**Subject:** RE: Charge No. 04-CA-143743  
**Date:** Tuesday, January 6, 2015 1:59:00 PM  
**Attachments:** [CHG.04-CA-143743.Initial Charge.pdf](#)

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(b) (6), (b) (7)(C)

Per your request, please see the attached copy of the above-captioned charge. I will be in contact shortly about the Employer's response to the charge.

Deena E. Kobell  
Senior Field Attorney  
National Labor Relations Board - Region Four  
One Independence Mall  
615 Chestnut Street, 7th Floor  
Philadelphia, PA 19106  
(215)597-7650 (direct dial)  
215.597.7658 (FAX)  
[deena.kobell@nrlrb.gov](mailto:deena.kobell@nrlrb.gov) (email)

**From:** (b) (6), (b) (7)(C) [mailto:(b) (6), (b) (7)(C)@jonesday.com]  
**Sent:** Tuesday, January 06, 2015 1:48 PM  
**To:** Kobell, Deena E.  
**Cc:** Doreen S Davis; (b) (6), (b) (7)(C)  
**Subject:** Charge No. 04-CA-143743

Good afternoon. Hope all is well. Pursuant to our conversation, attached is the Notice of Appearance that was filed yesterday and confirmation for Charge No. 04-CA-143743. Please send me a copy of the charge as we discussed.

Thank you and if you have any questions, or need additional information, please do not hesitate to contact me.

(b) (6), (b) (7)(C)

[JONES DAY® - One Firm Worldwide<sup>SM</sup>](#)  
222 East 41st Street  
New York, New York 10017  
Office +1 (b) (6), (b) (7)(C)

=====

This e-mail (including any attachments) may contain information that is private, confidential, or protected by attorney-client or other privilege. If you received this e-mail in error, please delete it from your system without copying it and notify sender by reply e-mail, so that our records can be corrected.

=====

**From:** [Kobell, Deena E.](#)  
**To:** ["mike@unionlawyers.net"](mailto:mike@unionlawyers.net)  
**Subject:** Jo-Dan Enterprises d/b/a McDonald's  
**Date:** Tuesday, January 6, 2015 6:04:00 PM  
**Attachments:** [Jo-DanCPCooperationLtr.pdf](#)  
**Importance:** High

---

Mr. Healey,

Please see attached time-sensitive letter.

Deena E. Kobell  
Senior Field Attorney  
National Labor Relations Board - Region Four  
One Independence Mall  
615 Chestnut Street, 7th Floor  
Philadelphia, PA 19106  
(215)597-7650 (direct dial)  
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[deena.kobell@nrlrb.gov](mailto:deena.kobell@nrlrb.gov) (email)



**United States Government**  
**NATIONAL LABOR RELATIONS BOARD**  
**Region Four**  
**615 Chestnut Street - Seventh Floor**  
**Philadelphia, PA 19106-4404**

Telephone: (215) 597-7650  
Fax: (215) 597-7658  
Email: [deena.kobell@nlrb.gov](mailto:deena.kobell@nlrb.gov)

**VIA EMAIL**

January 6, 2015

Michael J. Healey, Esquire  
Healey & Hornack, P.C.  
247 Fort Pitt Blvd, 4<sup>th</sup> Floor  
Pittsburgh, PA 15222

Re: Jo-Dan Enterprises d/b/a McDonald's  
and/or Jo-Dan Mandalisse d/b/a  
McDonald's and McDonald' USA, LLC  
as Joint or Single Employer  
Case 04-CA-143743

Dear Mr. Healey:

As you know, I am the Board Agent who is assigned to investigate the above-captioned charge, which you filed on December 31, 2014 without supporting documentation. The charge alleges that the Employer(s) violated Section 8(a)(3) of the Act by the following conduct:

- 1) Since on or about (b) (6), (b) (7)(C) 2014, the Employer(s) informed employees that they could not wear union buttons to work while allowing other non-union buttons;
- 2) On or about (b) (6), (b) (7)(C) 2014, the Employer(s) suspended employee (b) (6), (b) (7)(C);
- 3) On or about (b) (6), (b) (7)(C) 2014, the Employer(s): (i) reduced the work hours of pro-union employees; and (ii) issued disciplinary write-ups for actions that previously did not merit discipline (for example, enforcing its uniform policy more stringently than before and for arbitrary reasons not based upon any preexisting work rule or practice); and
- 4) On or about (b) (6), (b) (7)(C) 2014, the Employer(s) discharged employee (b) (6), (b) (7)(C).

As the Charging Party, it is your obligation to present evidence in support of your charge. I contacted you both yesterday and today and left voicemail messages requesting that you make arrangements to present your evidence. This is to inform you that the deadline for the submission of such evidence is Tuesday, January 13, 2015. I am available to meet with you and/or your witnesses on Tuesday, January at 1:00 p.m. Please advise me as soon as possible if this is acceptable to you. Please note that if you have not presented your evidence by that date, I may recommend to the Regional Director that your case be dismissed for a lack of cooperation.

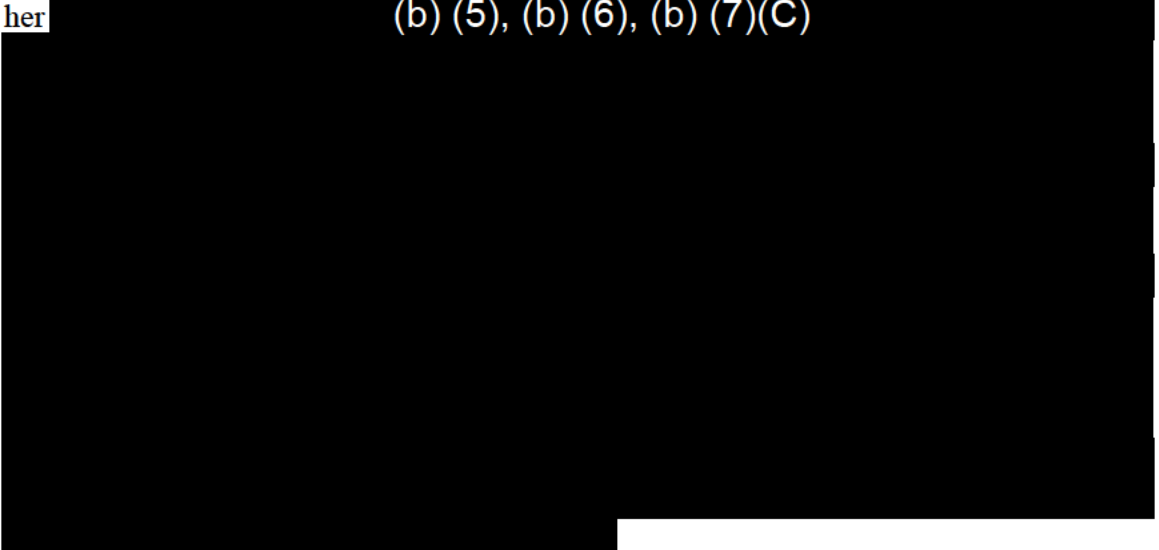
Very truly yours,

/s/ Deena E. Kobell  
DEENA E. KOBELL  
Senior Field Attorney

**FILE MEMO 1/7/15**

Spoke with Ceilidh "Kay-Lee" Gao for the Union. Her number is 202.730.7489. I told her

(b) (5), (b) (6), (b) (7)(C)



**From:** [Ceilidh Gao](#)  
**To:** [Kobell, Deena E.](#)  
**Subject:** Re: Jo-Dan Enterprises d/b/a McDonald's  
**Date:** Thursday, January 8, 2015 4:15:51 PM

---

Great, thanks Deena. (b) (6), (b) (7)(C) let me know (b) (6), (b) (7)(C)  
I will be in touch about all three witnesses closer to those days. Thank you!

**Ceilidh "Kay-Lee" Gao**

Law Fellow | Service Employees International Union (SEIU)

W: 202-730-7489 | C: 202-286-5502 | [ceilidh.gao@seiu.org](mailto:ceilidh.gao@seiu.org)

On Thu, Jan 8, 2015 at 4:12 PM, Kobell, Deena E. <[Deena.Kobell@nlrb.gov](mailto:Deena.Kobell@nlrb.gov)> wrote:

I will probably process the withdrawal on Tuesday, January 13th so the Employer would receive the letter on the 15th. Also, I wanted to let you know that my schedule has changed and I am now available to meet in the Regional Office on 1/27, 1/28 and 1/30 (all day). Please let me know if any of those dates work for your witnesses.

Thanks.

Deena Kobell

**From:** Ceilidh Gao [mailto:[ceilidh.gao@seiu.org](mailto:ceilidh.gao@seiu.org)]

**Sent:** Wednesday, January 07, 2015 4:06 PM

**To:** Kobell, Deena E.

**Subject:** Re: Jo-Dan Enterprises d/b/a McDonald's

Thanks Deena. If you could wait as long as is acceptable to withdraw the charge, we would appreciate it - workers at this store are obviously scared, and ideally by the time the employer could tell current employees that the union withdrew the charge, we could say we have another one ready to go. Please let me know if any days free up for you between the 14th and the 26th. I will be in touch. Thank you!

**Ceilidh "Kay-Lee" Gao**

Law Fellow | Service Employees International Union (SEIU)

W: [202-730-7489](tel:202-730-7489) | C: [202-286-5502](tel:202-286-5502) | [ceilidh.gao@seiu.org](mailto:ceilidh.gao@seiu.org)

On Wed, Jan 7, 2015 at 3:26 PM, Kobell, Deena E. <[Deena.Kobell@nlrb.gov](mailto:Deena.Kobell@nlrb.gov)> wrote:

Ceilidh,

Per our discussion, due to difficulties scheduling the lead affidavit (b) (6), (b) (7)(C)) by 1/13 or 1/14, I will process a verbal withdrawal of this charge in the next few days, and you will re-file the charge when your witnesses appear for their affidavits in the next few weeks. I am available all day on 1/26, 1/27 and 1/28 for this purpose. Please advise when works best for you. Also, when you re-file the charge, you may want to include the 8(a)(3) discharge of (b) (6), (b) (7)(C) if you intend to pursue that allegation.

Deena E. Kobell

Senior Field Attorney

National Labor Relations Board - Region Four

One Independence Mall

615 Chestnut Street, 7th Floor

Philadelphia, PA 19106

[\(215\)597-7650](tel:2155977650) (direct dial)

[215.597.7658](tel:2155977658) (FAX)

[deena.kobell@nlrb.gov](mailto:deena.kobell@nlrb.gov) (email)

**From:** Ceilidh Gao [mailto:[ceilidh.gao@seiu.org](mailto:ceilidh.gao@seiu.org)]

**Sent:** Wednesday, January 07, 2015 2:57 PM

**To:** Kobell, Deena E.; mindy isser

**Subject:** Re: Jo-Dan Enterprises d/b/a McDonald's

Hi Deena, Unfortunately,

(b) (6), (b) (7)(C)

.1



know you have a commitment that afternoon, so perhaps we can only fit in one person? And depending on the location of the affidavit, perhaps we can do an earlier appointment - I recall you were mobile that day. (b) (6), (b) (7)(C) is CC'd here, so we can simplify the logistics conversation. Also, (b) (6), (b) (7)(C) let us know what days you're available and we can keep figuring out what works.

If this is going to make the timeline tight, we are happy to refile. Scheduling has been a recurrent challenge for us - in one case with Peggy, she suggested we just schedule the affidavit first and refile the day the worker was able to come in. Just let us know what will make this easier for you.

Thank you!

**Ceilidh "Kay-Lee" Gao**

Law Fellow | Service Employees International Union (SEIU)

W: [202-730-7489](tel:202-730-7489) | C: [202-286-5502](tel:202-286-5502) | [ceilidh.gao@seiu.org](mailto:ceilidh.gao@seiu.org)

On Wed, Jan 7, 2015 at 10:34 AM, Ceilidh Gao <[ceilidh.gao@seiu.org](mailto:ceilidh.gao@seiu.org)> wrote:

Hi Deena, Thanks for your email. Let me know when you are available this week and next, and I will coordinate times with the three worker witnesses. I just left you a voicemail as well, phone or email both work great. Thanks and talk soon,

Ceilidh

**Ceilidh "Kay-Lee" Gao**

Law Fellow | Service Employees International Union (SEIU)

W: [202-730-7489](tel:202-730-7489) | C: [202-286-5502](tel:202-286-5502) | [ceilidh.gao@seiu.org](mailto:ceilidh.gao@seiu.org)

On Wed, Jan 7, 2015 at 9:26 AM, Mike Healey <[mike@unionlawyers.net](mailto:mike@unionlawyers.net)> wrote:

Deena:

Thanks.

Ceilidh Gao who is on the ground in Philadelphia will be in touch with you to present witnesses and other evidence. She is copied on this e mail. The bottom of your letter indicates you can meet with witnesses Tuesday January 2014 at 1 P.M. but does not have a date. Can we assume you meant Tuesday January 13?

Thanks.

Mike b

---

**From:** Kobell, Deena E. [mailto:[Deena.Kobell@nlrb.gov](mailto:Deena.Kobell@nlrb.gov)]  
**Sent:** Tuesday, January 06, 2015 6:04 PM  
**To:** Mike Healey  
**Subject:** Jo-Dan Enterprises d/b/a McDonald's  
**Importance:** High

Mr. Healey,

Please see attached time-sensitive letter.

Deena E. Kobell

Senior Field Attorney

National Labor Relations Board - Region Four

One Independence Mall

615 Chestnut Street, 7th Floor

Philadelphia, PA 19106

[\(215\)597-7650](tel:(215)597-7650) (direct dial)

[215.597.7658](tel:215.597.7658) (FAX)

[deena.kobell@nlrb.gov](mailto:deena.kobell@nlrb.gov) (email)



**FILE MEMO 1/7/15:**

I spoke with Law Fellow Ceilidh Gao

(b) (5), (b) (6), (b) (7)(C)  
(b) (5), (b) (6), (b) (7)(C)

**FILE MEMO 1/13/15**

(b) (5), (b) (6), (b) (7)(C)

NATIONAL LABOR RELATIONS BOARD  
FOURTH REGION  
ROUTING SLIP

Routing Sequence		Initials	Date Forwarded
	Jo-Dan Enterprises d/b/a McDonald's, and/or Jo-Dan Madalisse, LTD, LLC d/b/a McDonald's and McDonald's USA, LLC as Joint or single Employer  Case 04-CA-143743  (Category 3)		1/20/2015
	Regional Director		
	Regional Attorney		
3	Ass't to the Regional Director	WR	1/20
	Deputy Regional Attorney		
2	Supervisor Richard P. Heller (If Ag Min or FIR circle below)	RP	1/20
1	Agent Deena E. Kobell	DEK	1/20/2015
	Compliance Officer		
4	RD Secretary		
	Compliance Assistant		
	Issuing Secretary		
	Other		

**RECOMMENDATION TO APPROVE VERBAL WITHDRAWAL REQUEST**

Ag Min/FIR must be eFiled upon RD's approval  
(a copy in every subject file, and in the master related file, if any)

Completed: Date 1/20/15 Sec'y Initials Lym

If Withdrawal: ☐ Determination  
(Check one)

☒ No Determination

(Lym)

# NxGen ACTION Slip

Case Name: <i>Jo Dan Enterprises</i>	Case Number: <i>04-CA-143743</i>
Agent: <i>Kobell</i>	Supervisor: <i>Heller</i>
	Category: <i>3</i>

- 1) Check the appropriate action (2) Check if partial (3) Mark all allegation types that apply, as follows:
- ☒ **Withdrawal Approval** - Forward with recommendation \_\_\_\_\_  
**Advice Issuance Action** - Forward with draft \_\_\_\_\_  
**Deferral Issuance** - Forward with draft letter \_\_\_\_\_  
**Dismissal Issuance** - Forward with draft letter \_\_\_\_\_  
**Settlement Approval** - Forward with draft settlement \_\_\_\_\_
- W = withdrawn not adjusted; X = adjusted  
C = allegation type in Complaint  
✓ = allegation type deferred  
D = dismissed not adjusted; A = adjusted  
S = allegation type settled

## List Related Cases, if any:

## INFORMATION TO CHARGING PARTY ON REASONS FOR PROPOSED DISMISSAL:

### Before the charge is dismissed, have you:

- (1) Told the CP why the charge would be dismissed, absent withdrawal? ☐ Yes ☒ No  
(2) Give the CP an opportunity to withdraw? ☐ Yes ☒ No  
(3) Absent withdrawal, did you solicit a short-form dismissal letter? ☐ Yes ☒ No *(w/o unsolicited)*  
(4) Did the CP agree to: (a) ☒ Withdraw the charge? OR (b) ☐ Accept a short-form dismissal letter?

### IF YOU DID NOT SOLICIT A WITHDRAWAL REQUEST OR SHORT-FORM DISMISSAL LETTER, PLEASE EXPLAIN BELOW WHY YOU DID NOT DO SO:

REASON:

### IF PARTIAL DISPOSITION, INDICATE:

Sections withdrawn or dismissed:

Sections remaining:

<p><b>8(a)(1)</b></p> <p><input checked="" type="checkbox"/> Coercive Actions (Surveillance, etc.)  <input checked="" type="checkbox"/> Coercive Rules  <input type="checkbox"/> Coercive Statements (Threats, Promises of Benefits, etc.)  <input type="checkbox"/> Concerted Activities (Retaliation, Discharge, Discipline)  <input type="checkbox"/> Denial of Access  <input type="checkbox"/> Discharge of Supervisor (Parker Robb Chevrolet)  <input type="checkbox"/> Interrogation (including polling)  <input type="checkbox"/> Lawsuits  <input type="checkbox"/> Weingarten</p> <p><b>8(a)(2)</b></p> <p><input type="checkbox"/> Assistance  <input type="checkbox"/> Domination  <input type="checkbox"/> Unlawful Recognition</p> <p><b>8(a)(3)</b></p> <p><input checked="" type="checkbox"/> Changes in Terms &amp; Conditions of Employment  <input checked="" type="checkbox"/> Discharge (including Layoff and Refusal to Hire (Not Salting))  <input checked="" type="checkbox"/> Discipline  <input checked="" type="checkbox"/> Lockout  <input type="checkbox"/> Refusal to Consider/ hire Applicant (salting only)  <input type="checkbox"/> Refusal to hire Majority  <input type="checkbox"/> Refusal to Reinstate Employee/Striker (e.g. Laidlaw)  <input type="checkbox"/> Retaliatory Lawsuit  <input type="checkbox"/> Shutdown or Relocate/Subcontract Unit Work  <input type="checkbox"/> Union Security Related Actions</p> <p><b>8(a)(4)</b></p> <p><input type="checkbox"/> Changes in Terms &amp; Conditions of Employment  <input type="checkbox"/> Discharge (including Layoff and Refusal to Hire)  <input type="checkbox"/> Discipline  <input type="checkbox"/> Refusal to Reinstate Employee/Striker  <input type="checkbox"/> Shutdown or Relocate/Subcontract Unit Work</p> <p><b>8(a)(5)</b></p>	<p><input type="checkbox"/> Alter Ego  <input type="checkbox"/> Failure to Sign Agreement  <input type="checkbox"/> Refusal to Bargain/Bad Faith Bargaining (including surface bargaining/direct dealing)  <input type="checkbox"/> Refusal to Furnish Information  <input type="checkbox"/> Refusal to Recognize  <input type="checkbox"/> Repudiation /Modification of Contract [Sec 8(d)/Unilateral Changes]  <input type="checkbox"/> Shutdown or Relocate (e.g. First National Maint.) Subcontract Work</p> <p><b>8(b)(1)(A):</b></p> <p><input type="checkbox"/> Coercion, including Statements and Violence  <input type="checkbox"/> Denial of Access  <input type="checkbox"/> Discipline (Including charges/fines)  <input type="checkbox"/> Harassment  <input type="checkbox"/> Duty of Fair Representation, including Superseniority, denial of access  <input type="checkbox"/> Hiring Halls  <input type="checkbox"/> Picketing/Strike Actions  <input type="checkbox"/> Rules Coercive  <input type="checkbox"/> Union Dues and/or Membership Related (including accessing fees)</p> <p><b>8(b)(1)(B)</b></p> <p><input type="checkbox"/> Funds Contribution Related  <input type="checkbox"/> Lawsuits  <input type="checkbox"/> Other Allegations  <input type="checkbox"/> Statements/Threats/Violence</p> <p><b>8(b)(2)</b></p> <p><input type="checkbox"/> Hiring Hall Related  <input type="checkbox"/> Lawsuits  <input type="checkbox"/> Union Security Related Actions  <input type="checkbox"/> Failure to Sign Agreement</p> <p><b>8(b)(3)</b></p> <p><input type="checkbox"/> Refusal to Bargain/Bad Faith Bargaining or Surface Bargaining  <input type="checkbox"/> Refusal to Furnish Information  <input type="checkbox"/> Repudiation /Modification of Contract</p> <p><b>8(b)(4)(A)</b></p> <p><input type="checkbox"/> Lawsuits/Grievances  <input type="checkbox"/> Picketing/Handbilling</p>	<p><input type="checkbox"/> Statements</p> <p><b>8(b)(4)(B)</b></p> <p><input type="checkbox"/> Lawsuits/Grievances  <input type="checkbox"/> Picketing/Handbilling  <input type="checkbox"/> Statements</p> <p><b>8(b)(4)(C)</b></p> <p><input type="checkbox"/> Lawsuits/Grievances  <input type="checkbox"/> Picketing  <input type="checkbox"/> Statements</p> <p><b>8(b)(4)(D)</b></p> <p><input type="checkbox"/> All Allegations</p> <p><b>8(b)(5)</b></p> <p><input type="checkbox"/> All Allegations</p> <p><b>8(b)(6)</b></p> <p><input type="checkbox"/> All Allegations</p> <p><b>8(b)(7)(A)</b></p> <p><input type="checkbox"/> All Allegations</p> <p><b>8(b)(7)(B)</b></p> <p><input type="checkbox"/> All Allegations</p> <p><b>8(b)(7)(C)</b></p> <p><input type="checkbox"/> All Allegations</p> <p><b>8(e)</b></p> <p><input type="checkbox"/> All Allegations against a Labor Organization  <input type="checkbox"/> All Allegations against an Employer</p> <p><b>8(g)</b></p> <p><input type="checkbox"/> All Allegations</p> <p><b>REMEDIES SOUGHT</b></p> <p><input type="checkbox"/> AFFIRMATIVE ACTIONS  <input type="checkbox"/> BACKPAY AND EE REINSTATEMENT  <input type="checkbox"/> FEES, DUES, FINES REFUNDED  <input type="checkbox"/> RESTORATION OF RIGHTS  <input type="checkbox"/> REMEDY SOUGHT/ENHANCED REMEDY  <input type="checkbox"/> ENHANCED REMEDIES  <b>SPECIFY ENHANCED REMEDIES HERE:</b></p>
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UNITED STATES GOVERNMENT  
NATIONAL LABOR RELATIONS BOARD

REGION 04  
615 Chestnut St Ste 710  
Philadelphia, PA 19106-4413

Agency Website: [www.nlrb.gov](http://www.nlrb.gov)  
Telephone: (215)597-7601  
Fax: (215)597-7658

January 20, 2015

Doreen S. Davis, Esquire  
Jones Day  
222 East 41st Street  
New York, NY 10017-6727

Joseph A. Hirsch, Esquire  
Hirsch & Hirsch  
One Belmont Avenue  
8<sup>th</sup> Floor, Suite 8001  
Bala Cynwyd, PA 19004

Jonathan M. Linas, Esquire  
Michael S. Ferrell, Esquire  
Andrew G. Madsen, Esquire  
Jones Day  
77 W. Wacker Drive, Suite 3500  
Chicago, IL 60601-1692

Re: (1) Jo-Dan Enterprises d/b/a McDonald's,  
and/or (2) Jo-Dan Madalisse, LTD, LLC  
d/b/a McDonald's and (3) McDonald's  
USA, LLC as Joint or single Employer  
Case 04-CA-143743

Dear Ms. Davis, Mr. Linas, Mr. Ferrell, Mr. Madsen and Mr. Hirsch:

This is to advise you that I have approved the withdrawal of the charge in the above matter.

Very truly yours,

/s/ Dennis P. Walsh

DENNIS P. WALSH  
Regional Director

cc: Michael J. Healey, Esquire  
Healey & Hornack, P.C.  
247 Fort Pitt Blvd  
4th Floor  
Pittsburgh, PA 15222

John A. Dawkins, III  
Jo-Dan Enterprises d/b/a McDonald's  
111 Presidential Blvd  
Suite 153  
Bala Cynwyd, PA 19004

(1) Jo-Dan Enterprises d/b/a McDonald's,  
and/or (2) Jo-Dan Madalisse, LTD, LLC  
d/b/a McDonald's and (3) McDonald's USA,  
LLC as Joint or single Employer  
Case 04-CA-143743

- 2 -

January 20, 2015

Pennsylvania Workers Organizing  
Committee, a project of the Fast Food  
Workers Committee  
c/o Fight for Philly  
846 North Broad Street  
Philadelphia, PA 19130

Gloria Santona, Executive Vice President  
& General Counsel  
McDonald's USA, LLC  
One McDonald's Plaza  
Oak Brook, IL 60523





UNITED STATES GOVERNMENT  
NATIONAL LABOR RELATIONS BOARD

REGION 04  
615 Chestnut St Ste 710  
Philadelphia, PA 19106-4413

Agency Website: [www.nlrb.gov](http://www.nlrb.gov)  
Telephone: (215)597-7601  
Fax: (215)597-7658

January 20, 2015

Doreen S. Davis, Esquire  
Jones Day  
222 East 41st Street  
New York, NY 10017-6727

Joseph A. Hirsch, Esquire  
Hirsch & Hirsch  
One Belmont Avenue  
8<sup>th</sup> Floor, Suite 8001  
Bala Cynwyd, PA 19004

Jonathan M. Linas, Esquire  
Michael S. Ferrell, Esquire  
Andrew G. Madsen, Esquire  
Jones Day  
77 W. Wacker Drive, Suite 3500  
Chicago, IL 60601-1692

Re: (1) Jo-Dan Enterprises d/b/a McDonald's,  
and/or (2) Jo-Dan Madalisse, LTD, LLC  
d/b/a McDonald's and (3) McDonald's  
USA, LLC as Joint or single Employer  
Case 04-CA-143743

Dear Ms. Davis, Mr. Linas, Mr. Ferrell, Mr. Madsen and Mr. Hirsch:

This is to advise you that I have approved the withdrawal of the charge in the above matter.

Very truly yours,

DENNIS P. WALSH  
Regional Director

cc: Michael J. Healey, Esquire  
Healey & Hornack, P.C.  
247 Fort Pitt Blvd  
4th Floor  
Pittsburgh, PA 15222

John A. Dawkins, III  
Jo-Dan Enterprises d/b/a McDonald's  
111 Presidential Blvd  
Suite 153  
Bala Cynwyd, PA 19004

(1) Jo-Dan Enterprises d/b/a McDonald's,  
and/or (2) Jo-Dan Madalisse, LTD, LLC  
d/b/a McDonald's and (3) McDonald's USA,  
LLC as Joint or single Employer  
Case 04-CA-143743

- 2 -

January 20, 2015

Pennsylvania Workers Organizing  
Committee, a project of the Fast Food  
Workers Committee  
c/o Fight for Philly  
846 North Broad Street  
Philadelphia, PA 19130

Gloria Santona, Executive Vice President  
& General Counsel  
McDonald's USA, LLC  
One McDonald's Plaza  
Oak Brook, IL 60523